THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.12974 of 1995

ORAL ORDER:

This writ petition is filed seeking Certiorari to call for the records relating to proceedings Rc.No.896/B1/95 dated 20.3.1995 issued by the first respondent and quash the same as arbitrary and illegal.

It appears, third respondent is a practising Advocate and was engaged by first petitioner-college as part-time lecturer in Mercantile Law. However, it seems there were disputes between the parties as to the engagement of third respondent as Lecturer in the college. Earlier, it appears, the services of the third respondent were terminated. Aggrieved by the same he filed W.P.No.6018 of 1989 and the said writ petition was disposed of on 23.3.1992 holding that the order of termination passed by the management is without any notice. However, it was made clear that the management is not precluded from issuing a show cause notice for taking action, if so advised. After disposal of the said writ petition, again the third respondent was engaged till he attained the age of superannuation. Thereafter, the third respondent approached the first respondent, who in turn passed the impugned order dated 20.3.1995 setting aside the proceedings dated 20.2.1995 and informed the second petitioner that the sanctioned post itself is part-time in Mercantile Law and the third respondent is a practicing lawyer and be paid monthly consolidated amount @ Rs.400/- per month, and requested the management to continue the third respondent as part-time lecturer in Mercantile Law and send compliance report. Aggrieved by the same, the present writ petition is filed.

While admitting the writ petition, this Court by order dated 28.6.1995 in W.P.M.P.No.15835 of 1995 granted interim suspension of the impugned order. Admittedly, since last 12 years, the third

respondent is not working as part-time lecturer. Further, he has no right to seek employment continuously as part-time lecturer in the first petitioner college. The very writ petition is misconceived. A practising advocate has no right to seek employment either on part-time basis or otherwise, it is for the management of the college either to engage the third respondent or not.

In view of the same, the writ petition is allowed and the impugned order dated 20.3.1995 passed by first respondent is hereby quashed. No order as to costs.

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C.V.RAMULU, J

Date: 5.2.2007

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IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.12974 of 1995

Date: 5th February, 2006

Between:

Ideal College of Arts and Sciences,
rep. by its President Dr.P.V.N.Raju

.. Petitioner

And

The Regional Joint Director of
Higher Education, Rajahmundry & others.

.. Respondents